Village Board Meeting

September 22, 2014

Members present: Mayor Roddey, Trustees Char, Gurda, Nuzzolese, and Smith

Also present: Attorney Donovan, Village Clerk Strobl

Mayor Roddey called the Meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

On a motion by Trustee Char, seconded by Trustee Smith, the Agenda was accepted with the following addition: Item of Business #6: Schedule Public Hearing on Local Law #3, 2014 – Amending Chapter 54 of the Village Code.

Char aye

Gurda aye

Nuzzolese aye

Smith aye

On a motion by Trustee Char, seconded by Trustee Smith, the Minutes of the September 8, 2014 Village Board Meeting were accepted as submitted.

Char aye

Gurda aye

Nuzzolese aye

Smith aye

Communications

Mayor Roddey read a message from Orange Avenue resident Michele McKeon regarding her experiences with the contractors who are working for New York State Electric and Gas in her neighborhood. Mayor Roddey will follow up with the DPW Superintendent to see if similar complaints have been received.

Items of Business

Trustee Char moved, and Trustee Nuzzolese seconded the following:

The Village of Goshen will institute an 8:00 p.m. to 6:00 a.m. Halloween Curfew for Wednesday, October 29, 2014 through Monday, November 3, 2014.

Char aye

Gurda aye

Nuzzolese aye

Smith aye

On a motion by Trustee Smith, seconded by Trustee Nuzzolese, the Board hereby accepts the proposal from Munistat Services, Inc., dated July 1, 2014, for certain services relative to the issuance of the certain obligations as set forth in Appendix A of the attached Agreement. The Mayor is hereby authorized to sign the proposal, in agreement with the fees and expenses in Appendix B.

Char aye

Gurda aye

Nuzzolese aye

Smith aye

Trustee Char moved the following, which was seconded by Trustee Gurda:

**WHEREAS**, Erie Murray LLC, have heretofore filed a proceeding in the Supreme Court of Orange County pursuant to Article 7 of the Real Property Tax Law seeking to contest the assessment imposed on their real property located in the Village of Goshen, which property is designated on the tax map as Section 106, Block 2, Lot 16; and;

**WHEREAS**, the duties of assessing real property in the Village for purposes of real property taxation are vested with the Assessor’s office for the Town of Goshen; and

**WHEREAS**, the Town of Goshen and their Assessor have heretofore determined that it is in the best interests of all parties that the proceeding commenced by Erie Murray LLC., be settled and compromised; and

**WHEREAS**, the Village is in receipt of a Consent Judgment duly signed and approved by the attorneys representing the Town of Goshen, the attorneys representing the Petitioner and the Office of the Orange County Attorney which Consent Judgment has been approved by the Honorable Catherine M. Bartlett, Supreme Court Justice; and

**WHEREAS**, pursuant to the terms and provisions of said Consent Judgment the Village is obligated to refund certain tax amounts heretofore paid by Erie Murray LLC.

**NOW**, **THEREFORE**, it is hereby

**RESOLVED**, that pursuant to said Consent Judgment the Village Board hereby directs the Village Treasurer to issue a check in the amount of $3640.53 and to deliver the same to Brandt, Steinberg, Lewis & Blond LLP, as attorneys for Petitioners, as provided for in said Consent Judgment.

Char aye

Gurda aye

Nuzzolese aye

Smith aye

The following was moved by Trustee Char, and seconded by Trustee Gurda:

**WHEREAS**, the Planning Board of the Village of Goshen has heretofore issued Conditional Final Subdivision Approval in connection with the residential subdivision known as Heritage Estates; and

**WHEREAS,** pursuant to the conditions of Final Subdivision Approval the subdivider is required to post a performance bond to insure proper construction and completion of the public improvements shown on the subdivision plat relative to said project; and

**WHEREAS,** the Village Special Engineering Consultant for this project, MacDonald Engineering, has, pursuant to correspondence dated September 5, 2014 recommended that a performance bond be established in the amount of $53,485.00; and

**WHEREAS,** the Village Attorney and the Village Special Engineering Consultant have recommended the adoption of this Resolution, subject to the terms and conditions set forth below;

**NOW**, **THEREFORE**, it is hereby

**RESOLVED**, that the Village Board of the Village of Goshen hereby establishes the following conditions in connection with the construction of the public improvements as depicted upon the aforementioned subdivision plat and establishes that the bond amounts be posted with the Village as follows:

1. That the subdivider be required to establish and maintain a Performance Bond in the form of cash or Irrevocable Letter of Credit in form satisfactory to the Village Attorney in the amount of $53,485.00;
2. That the applicant be required, in accordance with the Subdivision Regulations and the Zoning Law and Fee Schedule of the Village to establish an escrow account in an amount as provided by law to serve as reimbursement of engineering inspection fees to be incurred by the Village.

Char aye

Gurda aye

Nuzzolese aye

Smith aye

Steven T. Esposito, RLA, spoke to the Board regarding a petition for zoning amendment for Red Maple Holdings Corp. property, tax map 110-4-1.

Following discussion, the Board agreed to not approve the requested zone change, from RR (Rural Density Residence) to R-3 (Low Density Multi-Family Residence), at this time.

Attorney Donovan distributed a Draft RFP for Removal, Towing and Storage Services, for the Board’s review.

On a motion by Trustee Gurda, seconded by Trustee Char, the Village Board hereby resolves to hold a Public Hearing on October 27, 2014, at 7:30 p.m., or as soon after as may be heard, for the consideration of adoption of: Local Law #3 of 2014, to modify Chapter 54 of the Code of the Village of Goshen.

Char aye

Gurda aye

Nuzzolese aye

Smith aye

Mayor/Trustee Comments

Trustee Nuzzolese reported for the Sewer Department that sewer jetting continues throughout the Village, and that a Chart recorder was repaired. He also commended the Department of Public Works on the recent paving project.

Trustee Gurda noted that the installation of replacement radio read water meters continues, and that the reservoir is at -26”.

Trustee Char reminded residents that school has started and to drive carefully.

Trustee Smith complimented the DPW on the great job done with the street paving, and noted all the hard work involved in preparation as well as after the actual paving.

Mayor Roddey offered thanks to the DPW on the street paving project, and also thanked the Towns of Chester and Wallkill, and the Village of Monroe, all of whom lent the Village trucks during the process.

Citizens’ Comments

Comments were received from Aileen Swift, regarding non-working streetlights in Harness Estates.

On a motion by Trustee Nuzzolese, seconded by Trustee Smith, the Meeting was adjourned at 8:05 p.m.

Char aye

Gurda aye

Nuzzolese aye

Smith aye